

UNITED STATES DISTRICT COURT

SOUTHERN District of OHIO (Cincinnati)

UNITED STATES OF AMERICA

v.

Jo Ellen Fisher

JUDGMENT IN A CRIMINAL CASE

Case Number: 1:15cr041

USM Number: pending

Terrence Grady

Defendant's Attorney

THE DEFENDANT:

 pleaded guilty to count(s) 1 of an Information pleaded nolo contendere to count(s) _____ which was accepted by the court. was found guilty on count(s) _____ after a plea of not guilty.

The defendant is adjudicated guilty of these offenses:

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Offense Ended</u>	<u>Count</u>
18 USC 1343	Wire Fraud	5/1/2014	1

The defendant is sentenced as provided in pages 2 through 7 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

 The defendant has been found not guilty on count(s) _____ Count(s) _____ is are dismissed on the motion of the United States.

It is ordered that the defendant must notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States attorney of material changes in economic circumstances.

8/20/2015
Date of Imposition of Judgment


Signature of Judge

Michael R. Barrett, United States District Judge
Name and Title of Judge

August 26, 2015
Date

DEFENDANT: Jo Ellen Fisher
CASE NUMBER: 1:15cr041**IMPRISONMENT**

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of:
three (3) years

The court makes the following recommendations to the Bureau of Prisons:
The defendant be placed in the BOP RDAP program;
the defendant be placed at the Federal Prison Camp in Alderson, West Virginia

The defendant is remanded to the custody of the United States Marshal.

The defendant shall surrender to the United States Marshal for this district:
 at _____ a.m. p.m. on _____.
 as notified by the United States Marshal.

The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:
 before 2 p.m. on _____.
 as notified by the United States Marshal.
 as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this judgment.

UNITED STATES MARSHAL

By _____
DEPUTY UNITED STATES MARSHAL

DEFENDANT: Jo Ellen Fisher
CASE NUMBER: 1:15cr041**SUPERVISED RELEASE**

Upon release from imprisonment, the defendant shall be on supervised release for a term of:
three (3) years

The defendant must report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state or local crime.

The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.

- The above drug testing condition is suspended, based on the court's determination that the defendant poses a low risk of future substance abuse. *(Check, if applicable.)*
- The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon. *(Check, if applicable.)*
- The defendant shall cooperate in the collection of DNA as directed by the probation officer. *(Check, if applicable.)*
- The defendant shall comply with the requirements of the Sex Offender Registration and Notification Act (42 U.S.C. § 16901, *et seq.*) as directed by the probation officer, the Bureau of Prisons, or any state sex offender registration agency in which he or she resides, works, is a student, or was convicted of a qualifying offense. *(Check, if applicable.)*
- The defendant shall participate in an approved program for domestic violence. *(Check, if applicable.)*

If this judgment imposes a fine or restitution, it is a condition of supervised release that the defendant pay in accordance with the Schedule of Payments sheet of this judgment.

The defendant must comply with the standard conditions that have been adopted by this court as well as with any additional conditions on the attached page.

STANDARD CONDITIONS OF SUPERVISION

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer in a manner and frequency directed by the court or probation officer;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court; and
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

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ADDITIONAL SUPERVISED RELEASE TERMS

1. The defendant shall not be employed directly or indirectly in the insurance, investment or securities industries during the term of supervised release.
2. The defendant shall provide access to her financial information to the probation officer, upon request.
3. The defendant shall not open any new lines of credit or make purchases on existing lines of credit without the permission of the probation officer.
4. The defendant shall participate in a program of testing and treatment for alcohol and controlled substance abuse, as directed by the U.S. Probation Office, until such time as the defendant is released from the program by the probation office. The defendant will make a co-payment for treatment services not to exceed \$25 per month, which is determined by the defendant's ability to pay.
5. The defendant shall participate in a program of mental health assessment and/or counseling, as directed by the United States Probation Office, until such time as the defendant is released from such program by the probation office. The defendant will make a co-payment for treatment services not to exceed \$25 per month, which is determined by the defendant's ability to pay.

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The defendant must pay the total criminal monetary penalties under the schedule of payments on Sheet 6.

	<u>Assessment</u>	<u>Fine</u>	<u>Restitution</u>
TOTALS	\$ 100.00	\$	\$ 835,179.44

The determination of restitution is deferred until _____. An *Amended Judgment in a Criminal Case* (AO 245C) will be entered after such determination.

The defendant must make restitution (including community restitution) to the following payees in the amount listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. § 3664(i), all nonfederal victims must be paid before the United States is paid.

<u>Name of Payee</u>	<u>Total Loss*</u>	<u>Restitution Ordered</u>	<u>Priority or Percentage</u>
Raymond James Financial Services, Inc. ATTN: Erin K. Linehan Vice President and Associate Corporate Counsel, Legal Department P.O. Box 23614 St. Petersburg, FL 33742		\$835,179.44	

TOTALS	\$ _____	\$ _____	835,179.44
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Restitution amount ordered pursuant to plea agreement \$ _____

The defendant must pay interest on restitution and a fine of more than \$2,500, unless the restitution or fine is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 6 may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).

The court determined that the defendant does not have the ability to pay interest and it is ordered that:

the interest requirement is waived for the fine restitution.

the interest requirement for the fine restitution is modified as follows:

* Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.

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SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties is due as follows:

A Lump sum payment of \$ 835,279.44 due immediately, balance due

not later than _____, or
 in accordance C, D, E, or F below; or

B Payment to begin immediately (may be combined with C, D, or F below); or

C Payment in equal _____ (e.g., weekly, monthly, quarterly) installments of \$ _____ over a period of _____ (e.g., months or years), to commence _____ (e.g., 30 or 60 days) after the date of this judgment; or

D Payment in equal _____ (e.g., weekly, monthly, quarterly) installments of \$ _____ over a period of _____ (e.g., months or years), to commence _____ (e.g., 30 or 60 days) after release from imprisonment to a term of supervision; or

E Payment during the term of supervised release will commence within _____ (e.g., 30 or 60 days) after release from imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay at that time; or

F Special instructions regarding the payment of criminal monetary penalties:

The Defendant shall pay \$25 per quarter while incarcerated if he is working in a NON-UNICOR job. If the Defendant is working in a grade one to four UNICOR job, he shall pay 50% of his monthly pay toward his fine obligation.

Unless the court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the clerk of the court.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

Joint and Several

Defendant and Co-Defendant Names and Case Numbers (including defendant number), Total Amount, Joint and Several Amount, and corresponding payee, if appropriate.

- The defendant shall pay the cost of prosecution.
- The defendant shall pay the following court cost(s):
- The defendant shall forfeit the defendant's interest in the following property to the United States:
See page 7.

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) fine interest, (6) community restitution, (7) penalties, and (8) costs, including cost of prosecution and court costs.

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ADDITIONAL FORFEITED PROPERTY

Jewelry

Pair of Sterling Silver hoop earrings containing 24 single cut diamonds in each
Laquered wooden jewelry box with fawn suede interior, glass top
Large, pink jewelry box with 5 removable trays, mirror, key
Kiwi mini oval jewelry box
14K white and yellow gold mother of pearl and black onyx inlay ring containing 4 round diamonds
Faber-Castell Design Loom metallic blue rollerball pen box of 2
Faber-Castell chrome-plated Design E-Motion pen
18K white gold open link chain (16"), with an 18K white gold pendant with yellow gold accents, containing in the center, one cushion cut rubellite and 109 diamonds
18K white and yellow gold ring with cushion cut rubellite, 100 rounds and 6 baguette cut diamonds
Marco Bicego 18K yellow gold ring with white gold diamond strip, with 23 diamonds
18K Marco Bicego design earrings
18K Marco Bicego yellow gold matching pendant containing 12 round diamonds
Charles Kuynell Sterling Silver cuff bracelet with 18K yellow gold accents
Sterling Silver drop hoop earrings
14K white gold gemstone bracelet containing opal, sapphire, amethyst, and diamond stones
Sterling Silver chain and pendant containing Hematite Doublet surrounded by diamonds
14K white gold pear shaped amethyst pendant containing 2 single cut diamonds
14K white gold freshwater pearl drop and diamond earrings
14K white gold ring containing in center 1 square cut garnet and 12 round diamonds
Estate Oyster Perpetual Date Rolex stainless steel watch
14K white gold pendant containing in center 1 oval blue topaz, 1 marquise cut and 2 round side diamonds
14K white gold earrings each containing 1 pear shaped aquamarine and 1 round diamond
14K white gold pearl and diamond stud earrings
2-14K white gold earrings each containing 1 oval opal and 6 round diamonds
Sterling Silver chain containing round Mother-of-Pearl doublet surrounded by diamonds
Matching Sterling Silver Mother-of-Pearl doublet ring surrounded by diamonds
Matching Sterling Silver earrings with diamonds
Sterling Silver "Ohio State" pendant and chain
Sterling Silver "Ohio State" Bangle bracelet
14K yellow gold man's ring containing 5 round diamonds
14K white gold ring containing in center 1 round brilliant cut diamond that is an HRD Certificate, and 30 side diamonds (10 princess cut, 20 round cut)
Sterling Silver Hematite drop earrings surrounded by diamonds
Sterling Silver Hematite ring surrounded by diamonds
Man's Stainless and 18K Rolex Datejust with Jubilee bracelet
Man's Stainless Steel "Luminor Marina" Panerai Watch
Tahitian Black Pearl and 18K white gold and platinum necklace with 21 black pearls, 5 pear shaped and 4 rondell diamond spacers
Orbita Siena 3 Burl executive watch winder
Man's 18K yellow gold Presidential Rolex watch
Man's Stainless Steel "Colt 44" Breitling watch
Ladies Stainless Steel and 18K yellow gold "Datejust" Rolex with Jubilee bracelet and diamond bezel
Man's Breitling Watch

Vehicles

2014 Ford Escape, VIN 1FM5K8F8XEGA16714
2014 Ford Escape, VIN 1FMCV9JX5EUA44153
2003 Ford 250 4x4, VIN 1FTNF21F63EA45468
2013 Ford Escape, VIN 1FMCU9JX8EUA68527 (\$30,000 will be substituted as cash in lieu of this vehicle pursuant to the Settlement Agreement by the parties)

Real Property

114 Porterbrook Lane, Gallipolis, Ohio, Parcel Number 00801502200 (to be sold pursuant to the terms of the Settlement Agreement, the proceeds of said sale shall be substituted as cash in lieu of the real property)